

The Honorable Franklin D. Burgess

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	No. CR06-5488 FDB
)	
vs.)	
)	ORDER CONTINUING
MICHAEL ANTHONY WILSON,)	TRIAL DATE AND
)	PRE-TRIAL MOTIONS
Defendant.)	DEADLINE
_____)	

Before this court is the defendant's motion for continuance of the trial which is presently scheduled to commence October 2, 2006. The defendant requires additional time so that further work may be done on pretrial motions and that defendant may complete trial preparation. The Government has filed no opposition or objection to the present motion.

That the court finds, after a consideration of all relevant information and circumstances of this case, that without this continuance the defendant will be prejudiced and the ability to properly prepare for trial would be impaired. Failure to grant a

ORDER CONTINUING TRIAL DATE AND PRE-
TRIAL MOTIONS DEADLINE - 1

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2 continuance under these circumstances would result in a miscarriage of justice. The ends
3 of justice would best be served by the granting of the motion for continuance. The ends
4 of justice outweigh the best interests of the public and defendant in having the matter
5 brought to trial sooner.

6 For these reasons, the court finds the defendant's motion for continuance
7 should be granted. The trial scheduled for October 2, 2006 is VACATED. Trial shall be
8 RESCHEDULED to December 4, 2006 in Tacoma, Washington. It is further ORDERED
9 that pretrial motions cutoff date of September 8, 2006 is EXTENDED to October 6,
10 2006. The pretrial conference scheduled on September 22, 2006 at 3:30 p.m. shall be
11 VACATED and RESCHEDULED to November 17, 2006 at 3:30 p.m..

12 Any and all period of delay resulting from the granting of this
13 continuance, from the current trial date of October 2, 2006, up to and including the new
14 trial date of December 4, 2006, shall be excludable time pursuant to 18 U.S.C. §§
15 3161(h)(1)(F) and (h)(8)(A).

16 IT IS SO ORDERED.

17 DONE this 15th day of September, 2006.

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20 
FRANKLIN D. BURGESS

21 UNITED STATES DISTRICT JUDGE
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2 Presented by:

3 LAW OFFICES OF MONTE E.

4 HESTER, INC., P.S.

5 Attorneys for Michael Wilson

6 By: _____/s

7 Lance M. Hester

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10 Approved by:

11 UNITED STATES ATTORNEY'S OFFICE

12 By: _____

13 Gregory A. Gruber

14 Assistant United States Attorney

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ORDER CONTINUING TRIAL DATE AND PRE-
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